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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ASIA AWAD,

Plaintiff,

v.

LIBERTY MUTUAL FIRE INSURANCE COMPANY, RAAD KHALAF and DOES 1-30, inclusive,,

Defendant.

Case No. 08-CV-00696-JM-AJB

NOTICE OF MOTION AND MOTION TO DISMISS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE SECTION 12(B)(6)

Date	June 6, 2008
Time:	1:30 p.m.
Courtroom:	16
Judge:	Judge Jeffrey T. Miller
Complaint Filed:	4/16/08
Trial Date:	None set

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on June 6, 2008 at 1:30 pm, or as soon thereafter as the matter may be heard in the above entitled court, located at 940 Front Street, San Diego, CA 92101-8900, Defendant RAAD KHALAF will move the court to dismiss the negligence claim filed against him pursuant to Federal Rule of Civil Procedure 12(b)(6) because the claims against KHALAF are untenable as a matter of law.

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501 WEST BROADWAY, STE. 600
SAN DIEGO, CALIFORNIA 92101

This motion will be based on this Notice of Motion and Motion, the Memorandum of Points and Authorities filed herewith, the pleadings and papers filed herein, and any oral argument presented at the time of hearing.

KLINEDINST PC

DATED: May 2, 2008

By: /s/ Gregor A. Hensrude
GREGOR A. HENSRUDE
DANIEL S. AGLE
Attorneys for Defendant
RAAD KHALAF

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